

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VALERIE W. WAKEFIELD,	)	CIVIL DIVISION
	)	
Plaintiff,	)	Civil Action No. 05 CV 79 – Erie
	)	
v.	)	Honorable Maurice B. Cohill, Jr.
	)	
JOY MINING MACHINERY	)	
COMPANY, a division of Harnischfeger	)	
Industries,	)	<b>JURY TRIAL DEMANDED</b>
	)	
Defendant.	)	
	)	
	)	<i>Electronically Filed</i>

**MOTION TO EXTEND DISCOVERY DEADLINE**

AND NOW, comes the Defendant, Joy Mining Machinery Company, a division of Harnischfeger Industries, by and through its counsel, Pietragallo Bosick & Gordon LLP, and files the within Motion to Extend Discovery Deadline setting forth as follows:

1. This is an action by Plaintiff, Valerie Wakefield (“Plaintiff”), an employee of Joy Mining Machinery (“Joy”), for alleged violations of federal and state law as a result of alleged sexual harassment

2. Pursuant to this Court’s Case Management Order dated May 11, 2006, discovery in this matter is scheduled to close on September 8, 2006.

3. Joy has noticed the depositions of Plaintiff and her husband. Copies of the deposition notices for the depositions of Plaintiff and her husband are attached hereto, collectively, as Exhibit “A”.

4. Plaintiff has noticed the depositions of ten (10) employees of Joy.

5. Joy provided a proposed schedule for the conducting of such depositions to Plaintiff’s counsel on August 23, 2006. Copies of the August 23, 2006 letter to Plaintiff’s

counsel setting forth the suggested dates and the fax confirmation evidencing that such letter was faxed and received by Plaintiff's counsel are attached hereto, collectively, as Exhibit "B".

6. In response to the schedule proposed by counsel for Joy on August 23, 2006, Plaintiff's counsel contacted counsel for Joy late in the afternoon of August 28, 2006 and proposed a schedule that both will not meet the vacation and work schedules of three Joy employees that Plaintiff seeks to depose and only allows a single day for the depositions of both Plaintiff and her husband.

7. Despite the parties' good faith efforts to schedule these depositions in this matter, the depositions have not taken place and it is unlikely that all of such depositions will be able to be scheduled and conducted by the close of discovery on September 8, 2006.

8. Therefore, Joy respectfully requests that this Court extend the discovery deadline by thirty (30) days, placing the new discovery deadline at October 9, 2006.

WHEREFORE, Defendant Joy Mining Machinery Company respectfully requests that this Honorable Court extend the discovery deadline in this matter by thirty (30) days to October 9, 2006.

Respectfully submitted,

/s/ Pamela G. Cochenour, Esquire  
PAMELA G. COCHENOUR, ESQUIRE  
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LISA A. BORRELLI, ESQUIRE  
JOY MINING MACHINERY  
177 Thorn Hill Road  
Warrendale, PA 15086

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **MOTION TO EXTEND DISCOVERY DEADLINE** will be forwarded via the ECF system to the following counsel of record this 28th day of August, 2006:

Alexander H. Lindsay, Jr.  
Lindsay, Jackson & Martin  
128 South Main Street  
Butler, PA 16001

/s/ Pamela G. Cochenour, Esquire  
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